

H/O
MBI
7-8-02
PATENT
Application No. 09/823,676
Atty Docket No. MBI-0034

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Cai-Zhong JIANG

Appl. No.: 09/823,676

Filed: March 30, 2001

For: METHOD FOR MODIFYING PLANT
BIOMASS

Art Unit: 1638

Examiner: C. Collins

FAX RECEIVED

JUL 08 2002

GROUP 1600

OFFICIAL

Commissioner for Patents
Washington, D.C. 20231

**REPLY TO RESTRICTION AND ELECTION
OF SINGLE NUCLEOTIDE SPECIES REQUIREMENTS**

Applicants hereby respond to the Office Action of June 6, 2002 (Paper No. 9), where the Examiner required an election of a group of claims and an election of a single nucleic acid sequence and corresponding encoded amino acid sequence. Applicants provisionally elect the claims of Group I (claims 1-6 and 17) and select SEQ ID NO: 1 and 2 (G1073). Applicants respectfully traverse both the requirements for restriction and election of a single sequence, as discussed below, and request reconsideration. As applicants are electing a species within the claims, if and when the subject matter directed to the elected species is found allowable, the remaining subject matter in the Group I claims will be examined. Should the requirements be made final, applicants hereby reserve their right to proceed with the prosecution of any remaining claims in separate applications, without prejudice, and also reserve the right to have all sequences examined.

REMARKS

Applicants traverse the requirement for restriction and election in this case. As stated at page 36, lines 20-28, for example, all of the sequences in this application, SEQ ID NO: 1-8, are